

REMARKS

Careful reconsideration of the present application based on the present amendments and remarks is respectfully requested.

Restriction Requirement:

It is respectfully submitted that the election made by Mr. Auchterloine was **without traverse**, and the undersigned hereby elects Group 1, drawn to claims 1, 2, 4, 5, and 7-10 **without traverse**. Applicants shall, thus, be free to file divisional applications under the definitions of the new rules published August 21, 2007 based on this restriction.

Objections to the Specification:

On page 3 of the Office Action, the Examiner objected to the disclosure under 37 C.F.R. 1.71. It is respectfully submitted that the original disclosure would be very clear to those of ordinary skill in the art. Nevertheless, in this response, cosmetic changes to make the application read better are included. No new matter has been added. Withdrawal of these objections is respectfully requested.

Rejections Under 25 U.S.C. 112:

On pages 4-5, claims 1, 2, 4, 5 and 7-10 were rejected as allegedly being indefinite. It is most respectfully submitted that the presently amended claims, which have been amended to be more cosmetically easily readable, are proper under this statutory provision. Withdrawal of these rejections is respectfully requested.

Rejections Based On References:

In the Office Action, claims 1, 2, 4, 5, 8 and 10 were rejected over U.S. Patent No. 4,948,685 and claims 7 and 9 were rejected over that same reference further in view of U.S. Patent No. 6,914,105. These rejections are strongly traversed, as follows.

(1) Stretchable Structure

It is most respectfully submitted that the cited references do not teach or suggest a structure that is contracted. On the other hand, the present claims are specifically drafted to include particular features that allow a structure that is readily contracted. This is further explained in the following paragraphs.

a. In the present response, each of the independent claims is now amended so as to clarify that the structure has a **“stretching property.”** It is most respectfully submitted that the cited references do not teach or suggest a “conductive substrate” that has a “stretching property.” This stretching property is a significant feature that is emphasized in the present application, and that is completely omitted in the references. With reference to the present application, discussion of the preferred embodiments including such a “stretchable structure” is made, e.g., as follows:

Unlike plate structures or line segment structures, it is preferable that said **stretchable structures** have structures provided with structures having spaces between members which compose conductive substrates such as coiled springs, plate springs, and meshes on a longitudinal section. As stretchable structures, spring-shaped members, meshed members, fiber structure sheets are exemplary examples. See page 14, paragraph [0051], which begins on line number 12 (including present cosmetic and non-substantive amendments, and bold added for reference).

In contrast, the cited reference merely shows a “sheet shaped” electrode, while the above-cited passage explains that the present stretchable structures are “unlike plate structures or line segments.”

b. Even further, in the present response, each of the independent claims is now amended so as to clarify that the structure having a “stretching property” also includes “**stretchable structures having spaced portions between members**” as described in the above-cited paragraph [0051], and as further described in subsequent paragraphs on pages 14-15 of the application. As set forth in the present application, such structures having unique stretching properties and unique structure provides a structure which is **readily contracted**. On the other hand, the cited references do not even remotely contemplate this structure or the benefits therefrom.

c. Yet even further, in the present response, new dependent claims 16, et seq., are now added that even more specifically recite structure that is even more clearly not disclosed or suggested in the references, including, e.g., 1) **spring-shaped members**, 2) **meshed members**, and 3) **fiber structure sheets** as recited in certain of said claims. It is respectfully submitted that the Patent Office should very clearly confirm the allowability of at least these new dependent claims.

Thus, it should be understood that the cited references do not teach or suggest a structure that is contracted, while the present claims are specifically drafted to include particular features that allow a structure that is readily contracted.

(2) Conductive Polymer Structures

It is respectfully noted that the '685 patent relates merely to an **electrode** and a **secondary battery**, and in no way even relates to nor teaches or suggests "a **conductive polymer composite structure**" (see, e.g., claim 1), "a layered structure comprising conductive polymer-containing layers and solid electrolyte layers" (see, e.g., claim 2), or "a bundle of conductive polymer composite structures provided with not less than two bundles of conductive polymer composite structures comprising conductive substrates and conductive polymers" (see, e.g., claim 4) that can be used in, e.g., an **actuator** or the like.

To facilitate the Examiner's appreciation of the present invention,

(3) Conductivity

In the Office Action, the Examiner has admitted that "Oshawa et al. '685 does not disclose the conductivity not less than 1.0×10^3 S/cm." However, the Examiner asserts that these properties are "inherent" in the reference. The Examiner further expresses that "The burden of proof is shifted to the applicant to show the prior art properties are different from those claimed." The Examiner's position is respectfully traversed. It is most respectfully submitted that the Examiner has no basis to render such an inherency position. There is no teaching suggesting to have a conductivity of not less than 1.0×10^3 S/cm.

(4) Literature to Facilitate Examiner's Reference

For the Examiner's reference and further appreciation of the general technology, the following information is provided related to polymeric actuators. This information is provided to show some exemplary, and non-limiting, features of some polymeric actuators to facilitate the Examiner's understanding of this subject matter. This information is not, however, intended to limit the claims in any way.

In this regard, for the Examiner's reference, attached at **Appendix A**, is a copy of a page of the present assignee's web site at <http://www.eamex.co.jp/ion.html> (roughly translated to facilitate reference using BABLEFISH translation software of ALTAVISTA.COM).

In addition, also for the Examiner's understanding and reference, attached at **Appendix B** are some other informational pages describing some illustrative polymer actuators and actuators of the present assignee (EAMEX).

Closing Remarks:

Early reconsideration of this application based on the foregoing amendments and remarks is requested. It is respectfully submitted that the present application is in condition for allowance, which action is respectfully requested. In the event that any fees are now due, please charge our Deposit Account No. 50-4080.

Respectfully submitted,

/Stephen B. Parker Reg. No. 36631/

By _____
Stephen B. Parker, Attorney for Applicant
Registration No. 36,631

Watchstone P+D, plc
1250 Connecticut Avenue, N.W.
Suite 700
Washington, D.C. 20036-2657
Telephone: 202-419-1518
Facsimile: 202-318-4261